



United States
Department of
Agriculture

Rural
Development

WASHINGTON AN 932 (1900-B)

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January 30, 2004

SUBJECT: Community Programs (CP) Mediation/Appeals Letters to Applicants

TO: Area Directors and CP Specialists

PURPOSE/INTENDED OUTCOME:

The purpose of this Administrative Notice (AN) is to help standardize the process and provide guidance on responding to applicants who have applied for Community Programs funding, and are denied approval for further processing of their application or pre-application.

COMPARISON WITH PREVIOUS AN:

There is no previous CP AN on this subject.

IMPLEMENTATION RESPONSIBILITIES:

Area Directors and Area Specialists who have CP as a primary responsibility, as well as Area Specialists who serve CP as a secondary function, shall be guided by this AN. RD Instruction 1900.55 may be used as a reference to assist in determining appealable and non-appealable decisions but it is expected that the Area Specialists will consult with their Area Director before sending the applicable letter to the Community Programs Director (CPD) for review and signature.

Exhibit A Letter - Shall be completed and sent to the CPD for those decisions where it's determined that the denial is based on a Program eligibility decision set by statute or regulation. All Exhibit A letters must include Attachment 1-A (Notice of an Adverse Action that cannot be Appealed). The CPD will send the letter on to the applicant and cc the Area Office.

Exhibit B Letter - Shall be completed and sent to the CPD for those decisions where it's determined that mediation or appeal rights are applicable. All Exhibit B letters must include Attachment 1-B (Notice of an Adverse Action that is Appealable). As with Exhibit A, the CPD will send the letter on to the applicant with a cc to the Area Office.

If a letter results in a request for mediation or appeal the CPD will direct the request to the State Appeals Coordinator, Ed Reynolds and/or the State Alternative Dispute Resolution (ADR) Coordinator, Tami Martin.

EXPIRATION DATE:
January 31, 2005

FILING INSTRUCTIONS
Preceding RD Instruction 1900-B

USDA, Rural Development is an Equal Opportunity Lender, Provider, and Employer
Complaints of discrimination should be sent to:
USDA, Director, Office of Civil Rights, Washington D.C. 20250-9410

Once there is a request for mediation or an appeal, the State ADR or Appeals Coordinator will make the appropriate contacts and complete the follow-up with the applicant requesting mediation or appeal rights. No costs at this time are associated with mediation or in filing an appeal.

/s/
JACKIE J. GLEASON
State Director

Attachments